

CLEARY GOTTlieb STEEN & HAMILTON LLP

NEW YORK
PARIS
BRUSSELS
LONDON
FRANKFURT
COLOGNE
MOSCOW

2112 Pennsylvania Avenue, NW
Washington, DC 20037-3229
T: +1 202 974 1500
F: +1 202 974 1999
clearygottlieb.com

D: +1 202 974 1959
lmalm@cgsh.com

ROME
MILAN
HONG KONG
BEIJING
BUENOS AIRES
SÃO PAULO
ABU DHABI
SEOUL

APPLICATION GRANTED
SO ORDERED 

VERNON S. BRODERICK
U.S.D.J. 11/8/2021

November 5, 2021

VIA ECF

Hon. Vernon S. Broderick
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

The revised deadline for all sealing requests related to the Class Certification reply, Daubert briefing, and summary judgment briefing is now January 31, 2022, with public versions of the briefs and exhibits to be filed by February 14, 2022. The parties are directed to notify the implicated third parties.

Re: *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig.*, MDL No. 2542;
Joint Letter Motion to Modify Sealing Deadlines

Dear Judge Broderick:

I write on behalf of all parties regarding sealing procedures for the Class Certification Reply, *Daubert* and summary judgment briefing (ECF No. 1436, 1437).

In order to alleviate burden on the parties, third parties, and the Court, the parties jointly request that January 31, 2022 be set as the deadline for *all* sealing requests related to the Class Certification Reply, *Daubert* and summary judgment briefing, regardless of which briefing sequence is implicated. (This modifies the prior deadlines of December 10, 2021 to request sealing with respect to the *Daubert* and Class Certification reply record and January 14, 2022 for the summary judgment record, *see* ECF Nos. 1436, 1437). The parties jointly request that by February 14, 2022, fourteen days following the filing of all sealing requests, the party that filed the relevant motion, opposition, or reply, will re-file new public versions of the briefs and exhibits, reflecting the sealing requests. As the parties have engaged with the process, it has become clear that a single filing deadline for all sealing requests will be more efficient for all parties and the Court. The parties will notify the implicated third parties of any adjusted deadlines as well.

This request would not affect the parties' pending requests to seal portions of the Motion for Class Certification, the opposition to the Motion for Class Certification, or *Daubert* briefing relating to experts opining on class certification. *See, e.g.*, ECF No. 1358; ECF No. 1416; ECF No. 1411.

All of the procedures above would be without prejudice to any party's rights otherwise.

Hon. Vernon S. Broderick
November 5, 2021

Respectfully submitted,

/s/ Carl Lawrence Malm

Carl Lawrence Malm

Counsel for Defendant

Keurig Green Mountain, Inc.

cc: All Counsel of Record (via ECF)